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Security Council

Sixty-second year

Provisional

5618th meeting

Thursday, 11 January 2007, 10 a.m.

New York

President:	Mr. Churkin	(Russian Federation)
Members:	Belgium	Mr. Verbeke
	China	Mr. Wang Guangya
	Congo	Mr. Okio
	France	Mr. De Rivière
	Ghana	Nana Effah-Apenteng
	Indonesia	Mr. Jenie
	Italy	Mr. Azzarello
	Panama	Mr. Arias
	Peru	Mr. Voto-Bernales
	Qatar	Mr. Al-Nasser
	Slovakia	Mr. Burian
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Ms. Wolcott Sanders

Agenda

Non-proliferation/Democratic People's Republic of Korea

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07-20648 (E)

The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

Non-proliferation/Democratic People's Republic of Korea

The President (*spoke in Russian*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, we will hear a briefing by Ambassador Peter Burian, Permanent Representative of Slovakia, on the activities of the Security Council Committee established pursuant to resolution 1718 (2006).

I give him the floor.

Mr. Burian (Slovakia): I have the honour to brief the Security Council on the activities of the Committee established pursuant to resolution 1718 (2006), of 14 October 2006, concerning the Democratic People's Republic of Korea, for the period 14 October 2006 to 11 January 2007, in accordance with operative paragraph 12 (g) of resolution 1718 (2006).

Following consultations among the members of the Security Council held on 20 October 2006, the Council agreed to elect the Bureau of the Committee for 2006, which consisted of the Permanent Representative of Slovakia to the United Nations as Chairman and the delegations of Argentina and Qatar providing the two Vice-Chairmen. The Committee started its full operations by holding its first informal meeting on 23 October 2006.

Since its inception, the Committee has been meeting with such frequency as necessary to carry out its duties effectively, and it is expected that it will meet regularly, once a week. During the reporting period, the Committee held nine informal meetings at the expert level. In discharging its mandate, the Committee was guided by paragraph 12 of resolution 1718 (2006).

By operative paragraph 8 (a) (ii) of resolution 1718 (2006), the Security Council decided that all Member States shall prevent the direct or indirect supply, sale or transfer to the Democratic People's Republic of Korea of items, materials, equipment, goods and technology covered by documents S/2006/814 and S/2006/815, unless within 14 days of the adoption of resolution 1718 (2006) the Committee had amended or completed their provisions also taking into account the list contained in document S/2006/816, circulated on 12 October by the Permanent Representative of France to the United Nations.

On 1 November 2006, I informed all United Nations Member States in a note verbale that, pursuant to resolution 1718 (2006), the Committee had revised the chemical and biological programmes list, and that a new document — S/2006/853 — now superseded document S/2006/816. The lists of items, materials, equipment, goods and technology listed in documents S/2006/814 and S/2006/815 remained unchanged. Documents S/2006/814, S/2006/815 and S/2006/853 and S/2006/853/Corr.1 may also be accessed on the Committee's web site.

In accordance with its mandate, the Committee is continuing the process of determining additional items, materials, equipment, goods and technology to be specified for the purpose of paragraph 8 (a) (ii) of the resolution, as the members of the Committee have submitted further amendments to the lists in documents S/2006/814, S/2006/815 and S/2006/853.

Paragraph 11 of resolution 1718 (2006) calls upon all States Members of the United Nations to report to the Security Council within 30 days of the adoption of the resolution on the steps that they have taken with a view to implementing effectively the provisions of paragraph 8 of the resolution. As of 10 January 2007, the Committee had received replies from 46 countries and one organization — the European Union — to its note verbale of 1 November 2006 concerning the implementation of resolution 1718 (2006). Replies are being issued as official documents of the United Nations and are accessible electronically through the United Nations Official Documents System and on the Committee web site, unless a State requests that its reply be kept confidential.

Resolution 1718 (2006) tasked the Committee to seek information regarding the actions taken to implement effectively the relevant measures imposed by it, in particular from those States that are producing or possessing the items proscribed in paragraph 8 (a). However, inasmuch as this is a direct and binding requirement of the resolution, all States, irrespective of whether they possess a potential associated with weapons of mass destruction and their means of

delivery and related materials covered by resolution 1718 (2006), are called upon to report to the Security Council Committee on the steps that they have taken nationally to implement the resolution.

The Committee is currently considering draft guidelines for the conduct of its work. This document will be a tool to facilitate the implementation of the measures imposed by the resolution.

While affirming that the primary responsibility for implementing the provisions of resolution 1718 (2006) rests with States, the Committee stands ready to facilitate, when requested, the implementation of those measures. The Committee started its proactive approach in this area when it received letters from the International Air Transport Association and from the Permanent Mission of Ukraine to the United Nations, dated 27 October 2006 and 3 November 2006 respectively, seeking guidance on or providing notification of a specific case of cooperation with the Government of the Democratic People's Republic of Korea after the adoption of resolution 1718 (2006). The Committee will continue this cooperation with Member States and relevant organizations upon receiving specific requests in this regard.

Owing to keen interest from Member States outside the Council, as well as from many of those represented on the Council, the Committee has addressed the issue of implementing paragraph 8 (a) (iii) of resolution 1718 (2006) concerning the ban on the export of luxury goods to the Democratic People's Republic of Korea. In this connection, the Committee considered that any definition of luxury goods as may be necessary for Member States to implement that provision of the resolution would be the national responsibility of individual Member States.

The Committee also reaffirmed that the measures contained in paragraph 8 (a) (iii) of resolution 1718 (2006) are not intended to restrict the supply of ordinary goods to the wider population of the country or to have a negative humanitarian impact on the Democratic People's Republic of Korea. The Committee referred Member States to national reports submitted pursuant to operative paragraph 11 of the resolution as cases of national definitions and implementation with respect to luxury goods.

In paragraph 12 (e) of resolution 1718 (2006), the Security Council decided to give a mandate to the Committee to designate additional individuals and entities subject to the measures imposed by paragraphs 8 (d) and 8 (e) of the resolution — targeted financial sanctions and a travel ban, respectively. I wish to inform the Council that during the reporting period the Committee has received no requests for designation on the basis of the criteria contained in those two sub-paragraphs.

Ms. Wolcott Sanders (United States of America): First, the United States would like to commend Ambassador Burian for his superb leadership in setting up and chairing the Committee established pursuant to resolution 1718 (2006). Ambassador Burian provided steady guidance to members in the Committee's first weeks and conducted his duties with great professionalism and respect for the interests of all Committee members throughout his tenure. My delegation recognizes the tireless efforts he dedicated to the Committee's successful functioning, and we greatly appreciate his commitment.

The United States is concerned that several important issues on the Committee's agenda remain unresolved. Several delegations, including my own, have proposed amendments to the lists of items, materials, equipment, goods and technology prohibited from export to or import from North Korea. For the sake of the credibility of the Committee and the sanctions regime, we wish to see those amendments adopted as quickly as possible. The United States stands ready to work constructively with our fellow Committee members to reach agreement on the outstanding proposals.

My delegation also believes that the Committee's guidelines should be completed as soon as possible — no later than the end of January. Guidelines could be a useful tool for the decision-making of the Committee, but their adoption is not a precondition for Committee or Council action. The United States supports informal meetings to reach consensus on the main pending issues related to the Committee guidelines.

Finally, the United States intends to propose several entities to the 1718 Committee in the very near future and hopes that the submission will be considered expeditiously for designation, pursuant to sub-paragraph 8 (d) of resolution 1718 (2006).

Mr. De Rivière (France) (*spoke in French*): I, too, wish to commend the delegation of Slovakia and Ambassador Burian for the excellent work

accomplished since the vote on resolution 1718 (2006) and to thank him for his briefing.

France hopes that the Security Council Committee established pursuant to resolution 1718 (2006) can swiftly complete the current work on the adoption of its guidelines, and particularly that it can take up substantive work on a number of important issues. I will cite just three of them.

First, it would be desirable to be begin work on identifying individuals and entities covered by the measures freezing assets and restricting travel. Those provisions of the resolution still have no practical application, two months after its adoption.

Secondly, we must continue to consider more specifically the possible addition of articles to the lists. We have not been able to discuss in detail the proposals that have been made. We must now do that.

Thirdly and finally, while this point is more limited, France believes that the Committee should have already specified that the resolution's provisions do not ban the provision to North Korea of vaccines or basic products — such as toothpaste, for example — containing trace amounts of substances subject to the embargo, such as fluoride. Common sense dictates that it is regrettable not to spell things out, even as States are adopting their measures to implement the resolution at the national level.

Sir Emyr Jones Parry (United Kingdom): On 14 October, the Council unanimously adopted a Chapter VII resolution condemning the provocative, irresponsible behaviour of the People's Democratic Republic of Korea and in particular the nuclear test of 9 October. Resolution 1718 (2006), taken with our earlier resolution 1695 (2006), underlines powerfully to North Korea why this issue is important and why the international community cares deeply about it and why it has condemned those actions. Since then, the North Korean regime has failed to take the necessary steps to comply with the legal obligations upon it, set out in resolution 1718 (2006).

The Six-Party Talks may remain the Democratic People's Republic of Korea's best opportunity to resolve the issue diplomatically. But let me stress one point: the requirements of both of these resolutions are clear and they are non-negotiable, and North Korea, like all States concerned — that is to say, all of us, the Members of the United Nations — have a legal obligation to comply with the provisions of binding Security Council resolutions.

Resolution 1718 (2006) calls upon all Member States to submit reports to the Council on the steps that they have taken with a view to demonstrating that they are effectively implementing what is set out in the resolution. The United Kingdom put forward its report on 13 November. I understand that 45 other countries have now done likewise. What is necessary — and, I think, what the Council should call for — is that the remaining 146 Member States of the United Nations also promptly submit their reports.

Finally, like others, I should like to thank Ambassador Burian for an outstanding job done in guiding the work of the Committee, setting up the Committee and making sure that it was operational and that it functioned in the first three months of its existence. We are fortunate to have had his leadership and experience in setting up the Committee, as we are with regard to the many other things that he does. We are very grateful to him.

The President (*spoke in Russian*): There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.25 a.m.